

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

MERLIN LKENT WILLIAMS

PLAINTIFF

v.

CIVIL ACTION NO. 1:24-cv-175-TBM-BWR

STATE OF MISSISSIPPI *et al.*

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on submission of the Report and Recommendation [10] entered by United States Magistrate Judge Bradley W. Rath on October 17, 2024. Judge Rath recommends that the Plaintiff's Motion for Release [3], Motion to Show Cause [4], and Motion for Permanent Injunction [6] be denied and this case dismissed as frivolous under 28 U.S.C. Section 1915(e)(2)(B)(i) because it is duplicative of previous unsuccessful lawsuits the Plaintiff has filed. To date, the Plaintiff has not filed an objection to the Report and Recommendation, and the time for filing an objection has expired.

"When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." FED. R. CIV. P. 72(b) advisory committee's note to 1983 addition (citations omitted); *see Casas v. Aduddell*, 404 F. App'x 879, 881 (5th Cir. 2010) (affirming district court's dismissal of Section 1983 claims and stating that "[w]hen a party fails timely to file written objections to the magistrate judge's proposed findings, conclusions, and recommendation, that party is barred from attacking on appeal the unobjected-to proposed findings and conclusions which the district court accepted, except for plain error.") (*citing Douglass v. United Serv. Auto Ass'n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc),

superseded by statute on other grounds, 28 U.S.C. § 636(b)(1)); *Douglass*, 79 F.3d at 1430 (affirming district court's grant of summary judgment). Having considered Judge Rath's Report and Recommendation, the Court finds that it is neither clearly erroneous nor contrary to law.

IT IS THEREFORE ORDERED AND ADJUDGED that the Report and Recommendation [10] entered by United States Magistrate Judge Bradley W. Rath on October 17, 2024, is ADOPTED as the opinion of the Court.


IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff's Motion for Release [3] is DENIED.

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff's Motion to Show Cause [4] is DENIED.

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff's Motion for Permanent Injunction [6] is DENIED.

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff's Complaint [1] is DISMISSED as frivolous under 28 U.S.C. Section 1915(e)(2).

THIS, the 27th day of November, 2024.


TAYLOR B. McNEEL
UNITED STATES DISTRICT JUDGE